

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS.

MDL No. 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris
Magistrate Judge Marianne B. Bowler

PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiffs, by their attorneys, respectfully move this Court for leave to file under seal: (a) Plaintiffs' Memorandum in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex ("Plaintiffs' Memorandum"); (b) Declaration of Kenneth A. Wexler in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendants AstraZeneca Based on Its Guilty Plea Related to Zoladex (the "Wexler Declaration"); and, (c) Plaintiffs' Local Rule 56.1 Statement of Material Facts as to Which No Genuine Dispute Exists ("Rule 56.1 Statement"). In support of this motion, Plaintiffs state as follows:

Plaintiffs' Memorandum, the Wexler Declaration and the Rule 56.1 Statement include copies of documents and excerpts from those documents, which have been identified by certain Defendants as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" pursuant to the terms of the December 13, 2004 Protective Order (the "Protective Order"). While Plaintiffs take no position on whether the information so designated is in fact "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL," in order to comply with the Protective Order, Plaintiffs seek leave to file the information under seal.

WHEREFORE, Plaintiffs respectfully request that this Court grant them leave to file under seal; (a) Plaintiffs' Memorandum in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant Astrazeneca Based on Criminal Guilty Plea Related to Zoladex and (b) the Declaration of Kenneth A. Wexler in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendants Astrazeneca Based on Its Guilty Plea Related to Zoladex; (c) Plaintiffs' Local Rule 56.1 Statement of Material Facts as to Which No Genuine Dispute Exists.

DATED: March 15, 2006

By /s/ Kenneth A. Wexler

Kenneth A. Wexler
Jennifer Fountain Connolly
The Wexler Firm LLP
One N. LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022

**CO-LEAD COUNSEL FOR
PLAINTIFFS**

Thomas M. Sobol (BBO#471770)
Edward Notargiacomo (BBO#567636)
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003

LIAISON COUNSEL

Steve W. Berman
Sean R. Matt
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594

Elizabeth Fegan
Hagens Berman Sobol Shapiro LLP
60 W. Randolph Street, Suite 200
Chicago, IL 60601
Telephone: (312) 762-9235
Facsimile: (312) 762-9286

Eugene A. Spector
Jeffrey Kodroff
Spector, Roseman & Kodroff, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300
Facsimile: (215) 496-6611

Marc H. Edelson
Allan Hoffman
Edelson & Associates LLC
45 W. Court Street
Doylestown, PA 18901
Telephone: (215) 230-8043
Facsimile: (215) 230-8735

Shanin Specter
Donald E. Haviland, Jr.
Kline & Specter, P.C.
1525 Locust Street, 19th Floor
Philadelphia, PA 19102
Telephone: (215) 772-1000
Facsimile: (215) 772-1359

**CO-LEAD COUNSEL FOR
PLAINTIFFS**

CERTIFICATE OF SERVICE

I hereby certify that I, Kenneth A. Wexler attorney, caused a true and correct copy of the foregoing ***Plaintiffs' Motion For Leave To File Under Seal*** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on March 15, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By: /s/ Kenneth A. Wexler

Kenneth A. Wexler
Jennifer Fountain Connolly
The Wexler Firm LLP
One N. LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022